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**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

In re:

MERCON B.V.,

Debtor.

Chapter 11

Case No. 23-11947 (MEW)

Deadline to Object: October 2, 2024 at 4:00 p.m. (ET)

Hearing Date: October 9, 2024 at 11:00 a.m. (ET)

**APPLICATION FOR ADMINISTRATIVE EXPENSE CLAIM
OF MILLER FRIEL, PLLC**

Miller Friel, PLLC (“**Claimant**”) hereby submits its application for an administrative expense claim, and states as follows.

1. Claimant was engaged by Mercon Coffee Corporation and its affiliates (the “**Debtors**”) as an ordinary course professional during the Debtors’ chapter 11 cases pursuant to the *Order Authorizing the Retention and Payment of Professionals Utilized in the Ordinary Course of Business* dated February 29, 2024 [Docket No. 216].

2. As of the July 31, 2024 effective date of the Debtors’ plan, Claimant was owed a total of \$57,175.42 for services rendered to the Debtors as an ordinary course professional. Copies of Claimant’s supporting invoices are attached hereto as **Exhibit A**.

3. Claimant’s services provided an actual and necessary benefit to the Debtors and are entitled to administrative expense priority.

WHEREFORE, Claimant requests that the Court enter the proposed order attached hereto as **Exhibit B** approving this Application and grant such other relief as is appropriate.

Dated: August 28, 2024

Miller Friel, PLLC

BY: */s/ Mark E. Miller*
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EXHIBIT A

Supporting Documentation



2445 M Street, NW, Suite 910
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Mercon Coffee Corporation

May 31, 2024

Attention: Marc Kirschner

File #: MerconCoffee

Inv #: 5290

RE: Policy review

DATE	DESCRIPTION	RATE	HOURS	AMOUNT	LAWYER
Apr-09-24	Participate in conference call with P. Keenan, F. Cottrell, H. Light and M. Miller re Phase I (0.4); analyze policies (1.5); follow up email (0.1).	\$1,175.00	2.00	2,350.00	BPB
Apr-14-24	Analyze policies.	\$1,175.00	1.00	1,175.00	BPB
Apr-15-24	Review and analyze policies (2.0); teleconference with P. Keenan and H. Light re same (0.5); legal research re [REDACTED] (0.5).	\$1,175.00	3.00	3,525.00	BPB
Apr-16-24	Review and analyze policies (3.1); confer with M. Miller re same (0.3).	\$1,175.00	3.40	3,995.00	BPB
May-08-24	Policy analysis.	\$1,175.00	1.80	2,115.00	MEM
May-09-24	Draft Memo (1.9); Policy review (4.9).	\$1,175.00	6.80	7,990.00	MEM
	Draft Memo re coverage.	\$1,175.00	1.80	2,115.00	MEM
May-21-24	Revise draft memo (0.7); review commodity policy (0.3).	\$1,175.00	1.00	1,175.00	BPB
May-24-24	Revise memo to client re coverage.	\$1,175.00	0.50	587.50	BPB
	Totals		21.30	25,027.50	
	Fee adjustment for \$20,000 fee cap			-5,027.50	
				<hr/> \$20,000.00	

Total Fee & Disbursements

\$20,000.00

Balance Now Due

\$20,000.00

TAX ID Number 45-2989169



2445 M Street, NW, Suite 910
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Mercon Coffee Corporation

July 16, 2024

Attention: Marc Kirschner

File #: MerconCoffee

Inv #: 5350

RE: Policy review

DATE	DESCRIPTION	RATE	HOURS	AMOUNT	LAWYER
Jun-05-24	Call with Harve Light (0.1); call with B. Bell (0.2)	\$1,175.00	0.30	352.50	MEM
	Teleconference M. Miller (0.2); review CNA's bankruptcy court filing (0.3); teleconference with and email to/from R. Weber re same (0.3); [REDACTED] (1.6).	\$1,175.00	2.40	2,820.00	BPB
Jun-06-24	Draft notice letter re commodity policy (1.0); email to/from H. Light and R. Weber re insurance issues and notice (0.2).	\$1,175.00	1.20	1,410.00	BPB
Jun-11-24	Call with B Bell (0.1); email client (0.1).	\$1,175.00	0.20	235.00	MEM
Jun-12-24	Email to R Webber re hearing; email to H. Light re same.	\$1,175.00	0.10	117.50	MEM
Jun-18-24	Review stipulation re insurance and edits to same (2.0); call with H. Light (0.2).	\$1,175.00	2.20	2,585.00	MEM
	Review and comment on Draft Stipulation (0.4); confer with M. Miller re same (0.1).	\$1,175.00	0.50	587.50	BPB
Jun-19-24	Call with Harve Light (0.2); work re notice to insurers (0.9); edit stipulation re underwriters motion to terminate policy (1.8).	\$1,175.00	2.90	3,407.50	MEM
	Teams meeting with H. Light and M. Miller (0.2); review underwriters' mark-up of Stipulation (0.3);	\$1,175.00	3.00	3,525.00	BPB

confer with M. Miller re same (0.2); email to/from Togut firm re insurance issues (0.3); work on draft notice (1.0); review policy for [REDACTED] provision (1.0)..

Jun-20-24	Conference call re insurance (0.4); address notice (0.5); prepare for call with Debtors and Bank representatives re insurance stipulation(1.5).	\$1,175.00	2.40	2,820.00	MEM
	Attend to notice (0.3); confer with M. Miller re same (0.2).	\$1,175.00	0.50	587.50	BPB
Jun-21-24	Edit objection to stay relief motion	\$1,175.00	1.90	2,232.50	MEM
Jun-26-24	Draft notice under CNA policy (1.9); email to/from M. Miller re same (0.1).	\$1,175.00	2.00	2,350.00	BPB
Jun-27-24	Analysis of Allianz AR policy (5.8); notice letter to Underwriters under Commodity Policy (1.9).	\$1,175.00	7.70	9,047.50	MEM
	Attend to questions regarding credit insurance (1.3); confer with M. Miller re same (0.2).	\$1,175.00	1.50	1,762.50	BPB
Jun-28-24	Draft and revise notice letter for Commodity Policy.	\$1,175.00	2.50	2,937.50	MEM
	Revise draft notice letter (0.2); confer with M. Miller re same (0.1).	\$1,175.00	0.30	352.50	BPB
Totals			31.60	<u>\$37,130.00</u>	

DISBURSEMENTS

Jun-28-24	FedEx to B. Anderhub at Rekedres & Sons Insurance Agency	45.42
Totals		<u>\$45.42</u>
Total Fee & Disbursements		<u>\$37,175.42</u>
Outstanding Amount		\$20,000.00
Balance Now Due		<u>\$57,175.42</u>

TAX ID Number 45-2989169

EXHIBIT B

Proposed Order

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

In re:

MERCON B.V.,

Debtor.

Chapter 11

Case No. 23-11947 (MEW)

Related Docket No.

**ORDER APPROVING APPLICATION FOR
ADMINISTRATIVE EXPENSE CLAIM OF MILLER FRIEL, PLLC**

UPON CONSIDERATION OF the application of Miller Friel, PLLC for an administrative expense priority claim (the “**Application**”), and good cause appearing for the requested relief, and any objections thereto having been overruled,

IT IS HEREBY ORDERED AS FOLLOWS:

1. The Application is approved as set forth herein.
2. Miller Friel, PLLC holds an administrative expense priority claim in the amount of \$57,175.42.
3. This Court shall retain jurisdiction over this matter.